

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

THE KROGER CO.	:	Civil Action No. 1:09-cv-196
	:	
Plaintiff,	:	
	:	
v.	:	CORPORATE DISCLOSURE
	:	STATEMENT OF PLAINTIFF THE
ATEB, INC.	:	KROGER CO.
	:	
Defendant.	:	

Pursuant to the Corporate Disclosure Statement provisions in Local Civil Rule 7.1.1: Any non-governmental corporate party to a proceeding must file a Corporate Affiliations/Financial Interest statement identifying all of its parent, subsidiary, and other affiliate corporations and listing any publicly held company that “controls, is controlled by or is under common control with a publicly controlled corporation.” A party must file the statement upon filing a complaint, answer, motion, response, or other pleadings in this Court, whichever occurs first. The obligation to disclose any changes will be continuing throughout the pendency of this case.

In compliance with these provisions, this Corporate Disclosure Statement is filed on behalf of: Defendant The Kroger Co.

1. Is said party a parent, subsidiary, or other affiliate of a publicly owned corporation?

_____ Yes X No

If the answer is Yes, list below the identity of the parent, subsidiary or other affiliate corporation and the relationship between it and the named party: Not applicable.

2. Is there a publicly owned corporation, not a party to the case, that has a financial interest in the outcome?

_____ Yes X No

If the answer is Yes, list the identity of such corporation and the nature of the financial interest: Not applicable.

Respectfully submitted,

/s/ Kevin W. Kirsch

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